IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION No: 109 of 2005

Between:

Jakkula Anjaneylu, S/o. Raghavaiah,
R/o. D.No. 12-11-33/2, Prakash Nagar, Narasaraopet Town, Guntur District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Narsaraopet, Guntur District.
2 The Mandal Revenue Officer, Narasaraopet, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate order writ or direction more particularly one in the nature of writ of mandamus, declaring the action of the 1st respondent in not passing any orders in the appeal filed by the petitioner as illegal, arbitrary, unjust and consequently set aside the order dt. 2.9.2004 vide R.C.No. 599/2004-C passed by the 2nd respondent and to grant such other relief or reliefs as this Honourable Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MRK.JOSEPH

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following:

ORDER:

The petitioner was granted a kerosene hawker licence. The 2nd respondent suspended the same through his order, dated 02.09.2004 on the strength of certain allegations. He preferred an appeal before the 1st respondent. His grievance is that the 1st respondent has not passed any order so far either in the appeal or in the application for stay and seeks appropriate directions.

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

Aggrieved by the order, dated 02.09.2004 passed by the 2nd respondent, the petitioner availed the remedy of appeal. He claims to have filed an application for stay also. More than three months have lapsed. During this time, the 1st respondent ought to have disposed of atleast the application for stay.

Be that as it may, the writ petition is disposed of, directing that the 1st respondent shall pass appropriate orders in the appeal itself, within a period of four weeks from the date of receipt of this order. In case the appeal is not disposed of within that period, the order of suspension shall remain stayed, till the disposal of the appeal. There shall be no order as to costs.

_____

18.01.2005

Jsu

To

1. The Revenue Divisional Officer, Narsaraopet, Guntur District.
2. The Mandal Revenue Officer, Narasaraopet, Guntur District.

3. 2 CCs to the G.P. for Civil Supplies, High Court of A.P., Hyderabad (OUT).

4. 2 CD copies.